

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MASSACHUSETTS

DAMILARE SONOIKI,

Plaintiff,

v.

HARVARD UNIVERSITY, et al.,

Defendants.

Civil Action No. 1:19-cv-12172-LTS

PLAINTIFF’S MOTION TO LIMIT TESTIMONY OF DR. LAURA MALOWANE
(LEAVE TO FILE GRANTED ON JUNE 16, 2023)

Now comes Plaintiff Damilare Sonoiki, (“*Plaintiff*” or “*Mr. Sonoiki*”) by and through counsel, and pursuant to Local Rule 7.2, and hereby moves to limit the testimony provided by Dr. Laura Malowane, an expert employed by Defendants Harvard University, Harvard University Board of Overseers, and the President and Fellows of Harvard College, (together, “*Harvard*” or “*Defendants*”).

Dr. Malowane is an economist and has specified that her training is in economics. However, she purports to offer testimony concerning the causation of Mr. Sonoiki’s damages and several matters which may be categorized as improper lay opinion and/or squarely within the province of the jury. As such, her testimony should be limited to those opinions which are based in her knowledge and experience as an economist and as applied to the facts of this matter. Accordingly, we respectfully move this Honorable Court for an Order limiting Dr. Malowane’s testimony on the following topics:

- The propriety of Plaintiff's job search activities and Plaintiff's general employability;
- Legal conclusions regarding liability;
- Lay opinion regarding Plaintiff's rehabilitation expert's report;
- The alleged "inevitability" of Plaintiff's insider trading conviction; and
- The sufficiency of the evidence in this case.

The reasons for this Motion are more fully outlined in the accompanying Memorandum in Support.

Respectfully Submitted,

KOHRMAN JACKSON & KRANTZ LLP

/s/ Anna E. Bullock

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

The undersigned counsel hereby certifies that counsel conferred with Plaintiffs' counsel regarding the issues raised in this Motion on June 12, 2023, in an effort to resolve or narrow the issues presented in this Motion. Defendants' counsel indicated Defendants do not assent to the relief requested herein.

/s/ Anna E. Bullock
ANNA E. BULLOCK (*pro hac vice*)

CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of the above document upon all parties with an interest in this matter by electronically filing it through this Court's CM/ECF filing system on June 16, 2023.

/s/ Anna E. Bullock
ANNA E. BULLOCK (*pro hac vice*)